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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/686,206	10/10/2000	Jack D. Robinson	04957.P001	6139

8791 7590 04/06/2004

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EXAMINER

TRAN, LAMBERT L

ART UNIT	PAPER NUMBER
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2144

DATE MAILED: 04/06/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/686,206

Applicant(s)

ROBINSON ET AL.

Examiner

Lambert L. Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 October 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 October 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>4, 2/26/02, 5/09/02</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Action is in response to the application filed on 10 October 2000.

Priority

2. No claim for priority has been made in this application.

Information Disclosure Statement

3. The information disclosure statements (IDS's) submitted on 22 March 2001 (Paper #4), and copies of papers originally filed submitted on 26 February 2002, and 09 May 2002, have been considered by the Examiner (see attached PTO 1449's).

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the

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reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

5. Claims 1-4 are rejected under 35 U.S.C. 102(e) as being anticipated by Mackinlay, U.S. Patent No. 6,088,032.

6. In regard to claims 1-4, Mackinlay disclosed a system and method comprising:
providing a three-dimensional computing environment (workspace) [see Mackinlay, Figures 2-9, Figures 14-16, col. 4, lines 43-49];
receiving a two-dimensional web page (application program) [see Mackinlay, col. 5, lines 41-50]. It is noted that a web page contains hyper-text markup language (HTML), java scripts, multi-media content, thus equivalent to an application software program. Also see Mackinlay, col. 4, lines 65-67];
converting the two-dimensional web page (application program) to a form useable in the three-dimensional computing environment [see Mackinlay, col. 5, lines 41-50]; and
presenting the three-dimensional computing environment with the converted web page (application program) contained therein to a user [see Mackinlay, col. 3, lines 7-22, col. 6, lines 35-47] .

7. Claim 5 is reject under 35 U.S.C. 102(e) as being anticipated by Gallo et al., U.S. Patent No. 6,636,246, hereinafter referred to as Gallo.

8. In regard to claim 5, Gallo disclosed a method comprising:
accessing a website [see Gallo, col. 5, lines 7-18];

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automatically accessing a 3D environment server (MovieWorld web site) in response to the access to the website [see Gallo, col. 5, lines 7-18, col. 12, lines 17-26] ;
generating a 3D environment on the website [see Gallo, col. 4, lines 46-51, col. 11, lines 32-47];
and
retaining (save) information related to the website access in a repository [see Gallo, col. 10, lines 28-31].

9. Since all the claims limitations are disclosed by Mackinlay, and Gallo, claims 1-5 are rejected.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a. Dalal et al., U.S. Patent No. 6,363,404, disclosed three-dimensional models with markup documents as texture.
- b. Powers et al., U.S. Patent No. 6,362,817, disclosed system for creating and viewing 3D environments using symbolic descriptors.
- c. Kirk et al., U.S. Patent No. 6,175,842, disclosed system and method for providing dynamic three-dimensional multi-user virtual spaces in synchrony with hypertext browsing.

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d. HACKATHORN "ANIMA II: A 3-D Color Animation System." In: Proceedings of the 4th Annual Conference On Computer Graphics and Interactive Techniques. San Jose, California: ACM SIGGRAPH Computer Graphics, Volume 11, July 1977, p. 54-64.

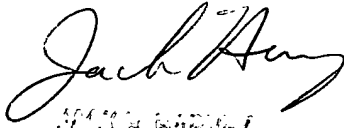
11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lambert L. Tran whose telephone number is (703) 305-4663.

The examiner can normally be reached on M-F at 9AM - 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack B Harvey can be reached on (703) 305-9705. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

12. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

L.L.T
Assistant Examiner
GAU 2144
3 April 2004


JACK B. HARVEY
SUPERVISORY PATENT EXAMINER